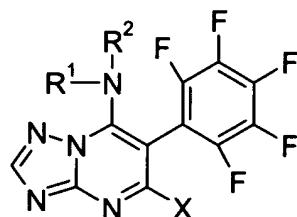


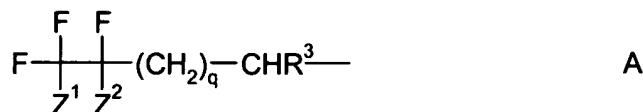
AMENDMENTS TO THE CLAIMS

1. (Previously Presented) A 6-pentafluorophenyltriazolopyrimidine of the formula I



in which the substituents are as defined below:

R¹ is C₃-C₆-cycloalkyl, which can be substituted by C₁-C₄-alkyl, or is a group A:



in which

Z¹ is hydrogen, fluorine or C₁-C₆-fluoroalkyl,

Z² is hydrogen or fluorine, or

Z¹ and Z² together form a double bond;

q is 0 or 1; and

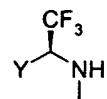
R³ is hydrogen or methyl.

R² is hydrogen, methyl or ethyl;

R¹ and R² together with the nitrogen atom to which they are attached may also form a five- or six-membered heterocyclyl or heteroaryl which is attached via N and may contain a further heteroatom from the group consisting of O, N and S as ring member and/or may carry one or more substituents from the group consisting of halogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-haloalkenyl, C₁-C₆-alkoxy,

C₁-C₆-haloalkoxy, C₃-C₆-alkenyloxy, C₃-C₆-haloalkenyloxy, C₁-C₆-alkylene and oxy-C₁-C₃-alkyleneoxy;

or R¹ and R² together with the nitrogen atom to which they are attached may also form a group



where Y is hydrogen or C₁-C₄-alkyl;

X is cyano, C₁-C₄-alkyl, C₁-C₄-alkoxy, C₃-C₄-alkenyloxy, C₁-C₂-haloalkoxy or C₃-C₄-haloalkenyloxy.

2. (Previously Presented) The compound of the formula I according to claim 1, in which X is cyano, C₁-C₄-alkoxy, C₃-C₄-alkenyloxy, C₁-C₂-haloalkoxy or C₃-C₄-haloalkenyloxy.

3. (Currently Amended) The compound of the formula I according to claim 1-~~or 2~~, in which X is cyano.

4. (Currently Amended) The compound of the formula I according to claim 1-~~or 2~~, in which X is methoxy.

5. (Previously Presented) The compound of the formula I according to claim 1, in which X is C₁-C₄-alkyl.

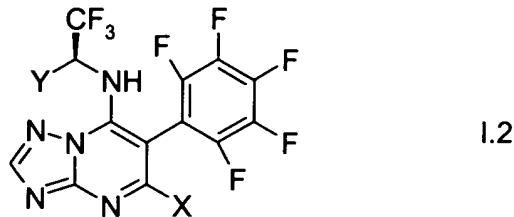
6. (Currently Amended) The compound of the formula I according to any of claims 1 to 5
claim 1, in which R¹ and R² are as defined below:

R¹ is CH(CH₃)-CF₃, cyclopentyl or cyclohexyl;

R² is hydrogen or methyl;

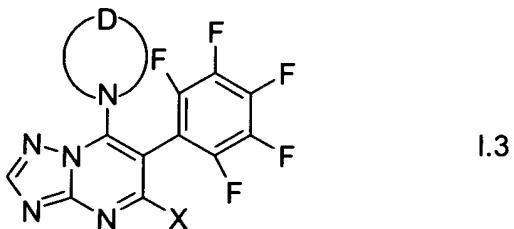
R¹ and R² together form -(CH₂)₂CH(CH₃)(CH₂)₂-, -(CH₂)₂CH(CF₃)(CH₂)₂-
or -(CH₂)₂O(CH₂)₂-.

7. (Previously Presented) A compound of the formula I.2.



in which Y is hydrogen or C₁-C₄-alkyl and X is cyano, methyl, methoxy or ethoxy.

8. (Previously Presented) A compound of the formula I.3,



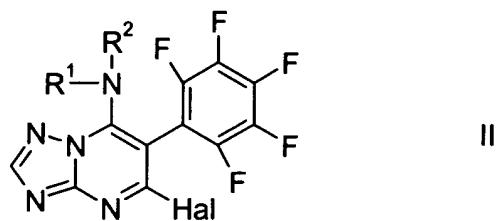
in which

D together with the nitrogen atom forms a five- or six-membered heterocyclyl or
heteroaryl which is attached via N and may contain a further heteroatom from the

group consisting of O, N and S as ring member and/or may carry one or more substituents from the group consisting of halogen, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-haloalkenyl, C₁-C₆-alkoxy, C₁-C₆-haloalkoxy, C₃-C₆-alkenyloxy, C₃-C₆-haloalkenyloxy, (exo)-C₁-C₆-alkylene and oxy-C₁-C₃-alkyleneoxy; and

X is cyano, methyl, methoxy or ethoxy.

9. (Previously Presented) A process for preparing the compounds of the formula I according to claim 2 by reacting 5-halo-6-(pentafluorophenyl)triazolopyrimidines of the formula II



in which Hal is a halogen atom, with compounds of the formula III

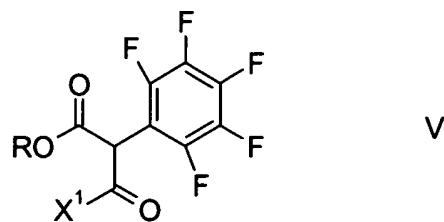
M-X III

in which M is an ammonium, tetraalkylammonium or alkali metal or alkaline earth metal cation and X is as defined in claim 2.

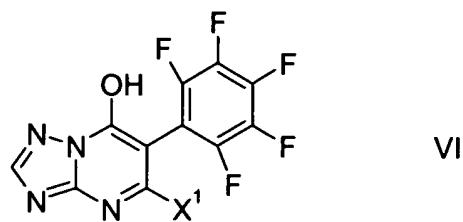
10. (Previously Presented) A process for preparing compounds of the formula I according to claim 5 by reacting 2-aminotriazole of the formula IV



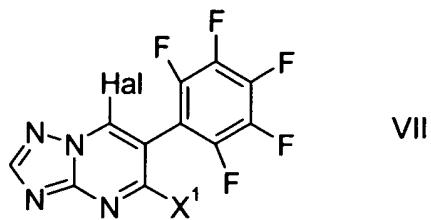
with keto esters of the formula V



in which R and X¹ independently of one another are C₁-C₄-alkyl and L¹, L² and L³ are as defined in claim 1, to give 5-alkyl-7-hydroxy-6-phenyltriazolopyrimidines of the formula VI,



halogenation of VI with halogenating agents to give halopyrimidines of the formula VII



in which Hal is a halogen atom, and reaction of VII with amines of the formula VIII



in which R¹ and R² are as defined in formula I.

11. (Currently Amended) A composition, comprising a solid or liquid carrier and a compound of the formula I according to claim 1-~~or~~2.
12. (Currently Amended) Seed, comprising a compound of the formula I according to claim 1-~~or~~2 in an amount of from 1 to 1000 g/100 kg.
13. (Currently Amended) A method for controlling phytopathogenic harmful fungi, which method comprises treating the fungi or the materials, plants, the soil or seeds to be protected against fungal attack with an effective amount of a compound of the formula I according to claim 1-~~or~~2.
14. (New) The compound of the formula I according to claim 2, in which X is cyano.
15. (New) The compound of the formula I according to claim 2, in which X is methoxy.
16. (New) The compound of the formula I according to claim 2, in which R¹ and R² are as defined below:
R¹ is CH(CH₃)-CF₃, cyclopentyl or cyclohexyl;
R² is hydrogen or methyl;
R¹ and R² together form -(CH₂)₂CH(CH₃)(CH₂)₂- , -(CH₂)₂CH(CF₃)(CH₂)₂- or -(CH₂)₂O(CH₂)₂-.

17. (New) The compound of the formula I according to claim 3, in which R¹ and R² are as defined below:

R¹ is CH(CH₃)-CF₃, cyclopentyl or cyclohexyl;

R² is hydrogen or methyl;

R¹ and R² together form -(CH₂)₂CH(CH₃)(CH₂)₂-, -(CH₂)₂CH(CF₃)(CH₂)₂- or -(CH₂)₂O(CH₂)₂-.

18. (New) The compound of the formula I according to claim 4, in which R¹ and R² are as defined below:

R¹ is CH(CH₃)-CF₃, cyclopentyl or cyclohexyl;

R² is hydrogen or methyl;

R¹ and R² together form -(CH₂)₂CH(CH₃)(CH₂)₂-, -(CH₂)₂CH(CF₃)(CH₂)₂- or -(CH₂)₂O(CH₂)₂-.

19. (New) The compound of the formula I according to claim 5, in which R¹ and R² are as defined below:

R¹ is CH(CH₃)-CF₃, cyclopentyl or cyclohexyl;

R² is hydrogen or methyl;

R¹ and R² together form -(CH₂)₂CH(CH₃)(CH₂)₂-, -(CH₂)₂CH(CF₃)(CH₂)₂- or -(CH₂)₂O(CH₂)₂-.

20. (New) A composition, comprising a solid or liquid carrier and a compound of the formula I according to claim 2.